

# CONSTRUCTION LAW



LEINEMANN PARTNER  
RECHTSANWÄLTE

## CONSTRUCTION LAW SPECIALISTS

Buildings and engineering structures as well as technical facilities are all long-term projects - and as such also require a longer planning and building phase. This is what makes building such an expensive business. This business sector is characterized by many involved parties, numerous risks, countless interfaces and, as a result, high conflict potential. The team at LEINEMANN PARTNER RECHTSANWÄLTE has an enormous store of expertise in the construction sector under its belt which it exploits to present its clients with solutions that are legally soundproof. We help with approvals, award proceedings and contracts throughout all project phases - providing support whilst the structures are being erected and during their subsequent lifespan.

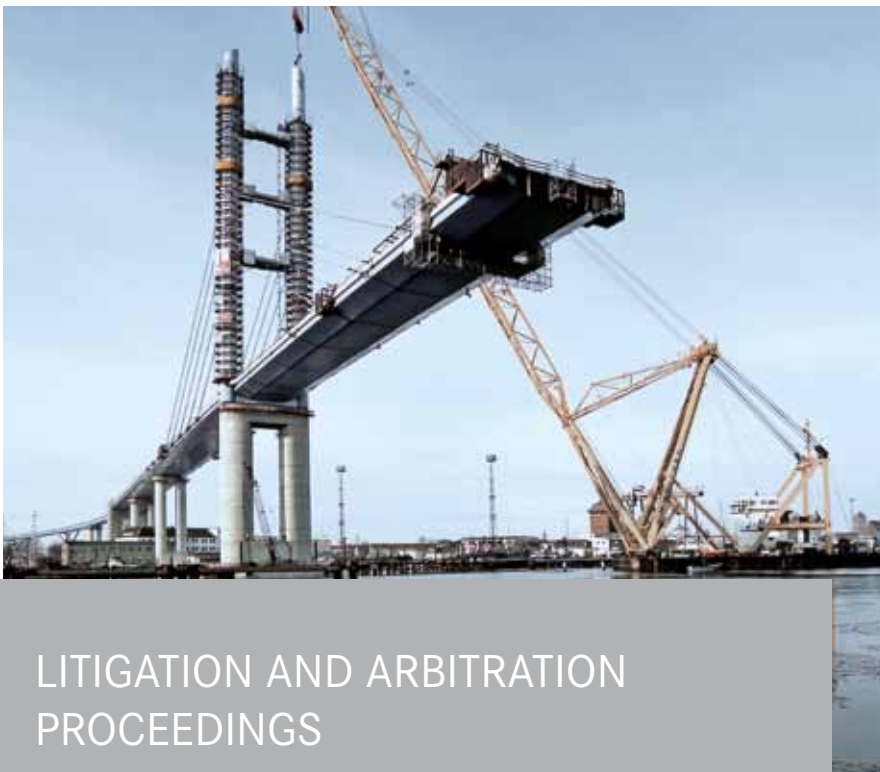
90 lawyers and sector-specific practice groups in six major German cities guarantee that we can react quickly to provide you with personalized support and advice.

## LEGAL ADVICE DURING THE CONSTRUCTION PHASE

In the construction sector, in particular, it is not just a question of legal qualifications - it is also important to be able to understand the technology and context. In no other sector is an aptitude for interdisciplinary collaboration, which manifests itself in clear communications and the ability to deal with engineers, architects, the authorities, businessmen, suppliers and financial experts in a legally sound-proof manner, more in demand than in the construction industry. Through long-time experience, we are familiar with the situation facing all parties involved in a construction project.

The advisory services offered by LEINEMANN PARTNER RECHTSANWÄLTE extend well beyond issues purely relating to construction law. We provide competent support in all problem areas associated with construction projects - from the initial contract to subsequent amendments: Contracts between consortia and developers, property contracts, investment and development agreements, management contracts as well as contracts with architects and engineering companies. In addition, we also provide advice on adjacent issues, such as environmental law (construction noise, laws concerning the interests of neighbors, ground protection) and the federal state building regulations (Bauordnungsrecht). As far as the fees for our activities are concerned, we offer individual budgetary and flat rate models.





## LITIGATION AND ARBITRATION PROCEEDINGS

When appearing before a court, one needs to be legally represented. This is traditional practice all around the world. We appear before the courts and arbitration courts on behalf of our clients and handle mediation and adjudication cases. Currently, we are involved in over 1000 cases in the construction industry which makes us the number one on the market. Having a sophisticated tactical approach to handling a case is a decisive factor in determining its success. We know exactly how the other side thinks and how it typically acts.

## PLANNING, CONTROLLING AND MONITORING

Construction projects demand extensive planning, controlling and monitoring. No one involved in building can simply order straight out of a catalog. Initially, the creative ability of the planners, project developers and building owners is in the foreground. Following on from this, the planning - which is often done under high time and cost pressure and which now also needs to be done digitally - and the tender process are to be prepared. Following on from this, the contract, award procedure and implementation planning then need to be tackled. All this is done in an extremely complex legal environment - which, as of 2018, will also entail having to comply with amended construction contract regulations.

We keep a close eye on the legal environment on your behalf.







## RAILWAYS IN FOCUS

The world of rail transport has its own rules. Contractors and suppliers of the German Deutsche Bahn rail company face an enormous set of rules. The great market power enjoyed by this contracting entity has also given rise to a very specific approach to contractual design and management.

This sector represents one of the most important areas of professional focus at LEINE-MANN PARTNER RECHTSANWÄLTE - the result of supporting nearly all Deutsche Bahn's large-scale projects during the past 20 years. No other law firm is as intensively involved - or on such a large scale - in handling procurement and contractual law matters according to the special traditions found in the rail transport sector.



## PRACTICE GROUPS

We provide our advisory services in accordance with the very latest legislation and case law pertaining to contract design, tendering and project realization. We get involved in the developments at an early stage to devise a needs-based solution. Practice groups are in place for the following areas: Roads and infrastructure, rail construction, tunnel and subway construction, airports, structural engineering, international projects, offshore projects, electricity, gas and water networks as well as for dealing with planning legislation and the award of construction contracts.

## FIDIC

Many of our clients handle construction and structural engineering projects abroad or cooperate with international contract partners in domestic projects. The FIDIC conditions of contract have now become an international standard - especially in the structural engineering sector and large-scale projects. We work constantly with this standard and can boast a large team of English-speaking lawyers with many years of experience in providing legal advice and conducting cases in this area at their fingertips. Some of the partners at our law firm also accept mandates to act as arbitrator or a member of a Dispute Adjudication Board (DAB) - frequently following the rules set down by the International Chamber of Commerce (ICC) in Paris.

## ENERGY REVOLUTION

For many years, LEINEMANN PARTNER RECHTSANWÄLTE have been supporting projects in the energy sector. These activities have now become a central focal point – one of the main reasons being the huge investment volumes involved. Our portfolio includes supporting several large conventional power stations as well as smaller and medium-sized power and steam generation facilities, such as biogas/biomass power stations, wind farms and photovoltaic systems. We are also strongly involved in grid expansion projects.

In most major projects born by the energy revolution, LEINEMANN PARTNER RECHTSANWÄLTE is engaged to provide consulting services to one of the involved parties.

## PUBLIC PRIVATE PARTNERSHIPS (PPP) IN THE CONSTRUCTION SECTOR

Public private partnerships are often politically controversial. However, these are now finding themselves in fashion – especially in the infrastructure area. The Federal Government is now primarily introducing so-called availability models into the federal highway construction market – at a faster rate than ever before. We have been actively working and providing advisory services in this area for many years. We have also already supported both sides in the past – building owners and bidders alike. We are familiar with all aspects of such projects, including the procurement review process and subsequent arbitration proceedings that arise through processing the contract. We have also developed respective skills in the field of structural engineering PPPs.



